

July 23, 2018

Chairman Ajit V. Pai
Commissioner Mike O’Rielly
Commissioner Jessica Rosenworcel
Commissioner Brendan Carr
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket Nos. 17-287, 11-42, 09-197

Dear Chairman Pai, Commissioners O’Rielly, Rosenworcel and Carr:

The undersigned organizations (together “Disability Advocates”) advocate for and represent the interests of millions of Americans with cognitive, physical, visual, hearing and other disabilities. Each of our organizations has been a leader in working for policies to help people with disabilities lead safer, healthier and more productive lives, including by supporting programs that facilitate wider access to telecommunications services that are necessary for Americans with disabilities to stay connected and participate in society. The Disability Advocates therefore have been strong supporters of the Federal Lifeline program and have actively participated in proceedings before the Federal Communications Commission (“FCC” or “Commission”) as it has sought to modernize and reform the program.

There are more than 56.7 million disabled Americans according to the latest figures.¹ Data show that disabled Americans earn significantly less than those without a disability. In 2016, the median earnings of people with disabilities ages 16 and over in the US was \$22,047, about two-thirds of the median earnings of people without disabilities, \$32,479.² The poverty percentage gap, or the difference between the percentages of those with and without disabilities who live in poverty, has been between 7.4 and 8.3 percentage points over the past 8 years.³

Because a larger percentage of people with disabilities live in poverty and benefit from the Lifeline program, we are writing today to urge you to reconsider recent proposals to weaken the essential Lifeline program that provides a modest, but critical, subsidy to meet the communications needs of low-income households. Certain FCC proposals, if adopted, would cause irreparable harm to the very consumers this program is intended to help. As AARP explained in its comments, the new proposed rules “will reduce the ability of low-income households to access the critical telecommunications services that are essential to the everyday lives of all Americans.”⁴

Millions of low-income Americans rely on the Lifeline program for voice and broadband services they would not be able to afford otherwise. Lifeline helps low-income Americans find and keep jobs, get help in the case of an emergency, access news and information, and to keep in touch

¹ US Census SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES, <https://www.census.gov/programs-surveys/acs/>

² https://disabilitycompendium.org/sites/default/files/user-uploads/AnnualReport_2017_FINAL.pdf

³ https://disabilitycompendium.org/sites/default/files/user-uploads/AnnualReport_2017_FINAL.pdf

⁴ AARP Comments, FCC WC Docket No. 17-287 at 2 (Feb. 21, 2018)

with families, educators and health care providers. According to one major provider, nearly a third of Lifeline customers are over the age of 55, and 36 percent are disabled.⁵ Still another provider shared that 47 percent of its Lifeline customers are over the age of 50.⁶

Improved access to broadband is particularly critical to people with disabilities as only 54% of adults living with a disability use the Internet, compared with 81% of adults without disabilities. Further, only 41% of adults living with a disability have broadband service at home, compared with 69% of those without a disability.⁷ Access to smartphones that are broadband-capable is thus even more crucial to meet the communications needs of low-income Americans with disabilities.

The new FCC proposal to exclude non-facilities based providers and drastically reduce the number of eligible service providers in the Lifeline program would thus disproportionately impact low-income people with disabilities. It would cut off nearly 70 percent of Lifeline households from their current wireless carriers, leaving them with at most one facilities-based wireless Lifeline provider to choose from, or be forced to switch to a facilities-based wireline carrier.⁸ There is no basis for expecting that, if wireless resellers are removed from the program, other sources of facilities-based wireless Lifeline service will emerge.

Furthermore, people with disabilities often live on fixed budgets and could not easily manage unexpected price increases. For those individuals who are left with only wireline options if wireless resellers are excluded from the program, they will be faced with monthly phone bills as wireline providers do not offer “no cost” Lifeline services like those provided by wireless resellers. Even with a \$9.25 discount on their monthly landline bill, the exclusion of wireless resellers will mean increased phone or broadband cost for Lifeline participants, which means some of them will simply have to drop out of the program as they can no longer afford the service.

We also oppose mandatory charges or “co-pay” from eligible consumers to participate in Lifeline, for the many economic reasons we mentioned before. The Lifeline prepaid wireless services do not have a deposit requirement, do not require a credit check, do not require a checking account or some other means to make a monthly payment, and do not have late fees. These flexibilities are extremely important for low-income households, many of which are unbanked. Requiring mandatory co-payments in order to receive Lifeline service will increase household financial stress and limit access to the program for those most in need.

Finally, we urge the Commission to suspend the subsidy phase-down for voice-only Lifeline services in every part of the country, rather than only for those who live in rural areas. Today, many deaf individuals still rely on teletypewriter (TTY) for text communication over a telephone line. These individuals also live in various parts of the country, including urban and suburban areas. Unless and until wireless Lifeline service providers and handset manufacturers are fully capable of supporting the transition from TTY technology to real-time text (RTT) technology

⁵ Sprint, Ex Parte Presentation, FCC WC Docket No. 11-42 (filed Apr. 10, 2013) (“April Sprint Ex Parte”)

⁶ TAG Mobile, Ex Parte Presentation, FCC WC Docket No. 11-42 (filed Apr. 17, 2013).

⁷ *Technology*, The American Association of People with Disabilities, <http://www.aapd.com/what-we-do/technology/> (last visited Feb 4, 2016).

⁸ Federal-State Joint Board, 2016 Universal Service Monitoring Report, Table 2.8 Non-Facilities Based LowIncome Subscribers by State in 2015, p.30.

that utilize IP-based networks, the Commission should not reduce or discontinue Lifeline subsidies for voice-only services, and most certainly should not do so in a way that would require low-income households to move to rural parts of the country in order to continue receiving such subsidized services.

Rationing Lifeline benefits and limiting service providers to those who operate their own networks will harm adults with disabilities in the U.S. who are already struggling economically. The FCC must keep in mind the diverse and unique needs of those participating in the Lifeline program today – including low-income people with disabilities – and keep the program focused on enabling and maintaining those individuals' access to affordable voice and broadband services. We respectfully urge you to reject these harmful proposals mentioned in the preceding paragraphs.

Sincerely,

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